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Margaret P. Grafeld, Director

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December 7, 197

Call on President of Supreme Court

Dr. Horacio H. Heredia, Minister and President of Supreme Court

Mr. Charles W. Bray, Deputy Assistant Secretary of State

Mr. Maxwell Chaplin, Deputy Chief of Mission

Mr. Robert S. Steven, Political Officer

English/Spanish Interpreter, Protocol Office, Foreign Ministry

PLACE: Supreme Court Building

COPIES TO: AMB, DCM, ARA-Mr. Bray

After extensive initial pleasantries, I told Dr. Heredia that I had recently taken up my duties and that the choice of Argentina for my first visit to the area was a reflection of the importance with which we regarded Argentina and our relations with her, as my call upon him was a reflection of my respect for the law. I said that the law had served the United States well through the many difficulties which had affected our country in recent years. Dr. Heredia had no comment to offer.

He told me that he was 73, and had been a Federal Judge for 23 years before retirement in 1973. He was active with the Inter-American Bar Association in his specialty of administrative law. He was called back to serve on the Court after the change of government in March 1976. Presidency of the Court is a rotating position among the five Ministers, or Justices. He regarded the call to the Court as a sacrifice for a man of his age, but in the circumstances the call could not, of course, be refused.

I told Dr. Heredia that I understood a system of special Courts Martial had recently been established, and asked about the relationship to the civil court system. He at first denied that any such Courts existed, but when the term was modified, after discussion with the interpreter, to "Consejos de Guerra," ("war councils," the technical Spanish description for what are in effect summary Courts Martial) he understood. He said that the nation was experiencing a new kind of war, which was nonetheless a war, and the "Consejos de Guerra"

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were the appropriate and necessary instrument. He then switched the conversation to another topic.

We briefly discussed similarities between the United States and Argentine systems of local and Federal law. Dr. Heredia said that he had taken up his present position with interest in improving the judicial system in Argentina, but when pressed as to what he hoped to do, he left only the general comment that the law needed good and independent judges.

I asked Dr. Heredia if he thought there was any role which could properly be played by outside bodies and institutions in matters of human rights in his country. He seemed not to understand the question and asked for a more specific illustration. I noted the deep interest in human rights in the United States Congress in promoting the observance of human rights, not only in the United States but throughout the world. Dr. Heredia told me quite formally that I had his assurance, as President of the Supreme Court, that there was full respect for the Bill of Rights (sic) in Argentina, and that judges took a completely impartial view in their courts in matters affecting human rights.

The conversation concluded with further exchanges of pleasantries and compliments. Dr. Heredia, in response to my question, noted that the Court was in session throughout the year, but that vacations were taken in January. This particular January, he will be the Minister who will remain at the Court to take action on emergency matters as, for example, a habeas corpus petition.

We took a very cordial leave, without much assurance that the Supreme Court could or would have much impact upon the human rights situation in Argentina.

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